

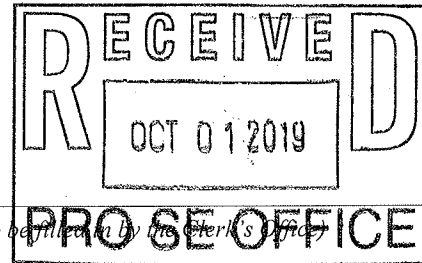
## UNITED STATES DISTRICT COURT

for the

Southern District of New York

\_\_\_\_ Division

Case No. \_\_\_\_\_



(to be filled in by the Clerk's Office)

Kareem Omar Jones

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☒ Yes ☐ No

19 CV 9126

-v- The City of New York

Gielphin Gomez, Anthony Peters, Bridget Brennan,  
Angie Morelli, Brandon Young, Angie Godoy,  
Lauren Stoia, Richy Ghosh, Gene Conway, Blair Pegg

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

## COMPLAINT FOR A CIVIL CASE

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Kareem Jones

Street Address

P.O. Box 2000

City and County

Pine City New York

State and Zip Code

New York 14871-2000

Telephone Number

E-mail Address

## B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

## Defendant No. 1

Name Gelphir Gomez  
Job or Title (if known) Police Officer  
Street Address Housing PSA 4  
City and County New York, New York  
State and Zip Code N.Y. 10009  
Telephone Number \_\_\_\_\_  
E-mail Address (if known) \_\_\_\_\_

## Defendant No. 2

Name Anthony Peters  
Job or Title (if known) Sgt.  
Street Address Housing PSA 4  
City and County New York New York  
State and Zip Code N.Y. 10009  
Telephone Number \_\_\_\_\_  
E-mail Address (if known) \_\_\_\_\_

## Defendant No. 3

Name Bridget Brennan  
Job or Title (if known) Special Assistant District Attorney  
Street Address 80 Centre Street  
City and County New York New York  
State and Zip Code N.Y. 10013  
Telephone Number \_\_\_\_\_  
E-mail Address (if known) \_\_\_\_\_

## Defendant No. 4

Name Angie Morelli  
Job or Title (if known) Assistant District Attorney  
Street Address 80 Centre Street  
City and County New York New York  
State and Zip Code N.Y. 10013  
Telephone Number \_\_\_\_\_  
E-mail Address (if known) \_\_\_\_\_

See Attach

Defendant No. 5

Angie Godoy  
Assistant District Attorney  
80 Centre Street  
New York New York  
N.Y. 10013

Defendant No. 9

Gene Conway  
Attorney  
111 John Street  
New York New York  
N.Y. 10038

Defendant No. 6

Brandon Young  
Assistant District Attorney  
80 Centre Street  
New York New York  
N.Y. 10013

Defendant No. 10

Blain Fogg  
President  
199 Water Street  
New York New York  
N.Y. 10038

Defendant No. 7

Lauren Stoia  
Assistant District Attorney  
80 Centre Street  
New York New York  
N.Y. 10013

Defendant No. 11

Cyrus Vance  
One Hogan Place  
New York New York  
N.Y. 10013

Defendant No. 8

Ricky Ghosh  
Attorney  
49 Thomas Street  
New York New York  
N.Y. 10013

Southern District of New York

Kareem Jones

Statement of Claim

9/25/19

I Kareem Jones bring this action under 42 U.S.C. § 1983 and state law claiming that the stop, search/seizure, arrest imprisonment, and prosecution were all unlawful. Officer Gomez and Sgt Peters stopped Jones based on his race and without justification and without protecting Failure to protect, arrested Kareem Jones without probable cause. That the (ADA) Bridget Brennan Assistant, Bridget Brennan, District Attorney maliciously prosecuted Kareem Jones and conspired with the officers of the New York City police to fabricate evidence against him Kareem Jones. The city of New York (the city) failed to properly train and discipline its officers with respect to executing its stop and Frisk policy and that the city and District Attorney Cyrus Vance (DA Vance) failed to properly train and discipline local prosecutors. New York city (the city) failed to provide effective assistance of counsel with respect to the U.S. Const. Amend. VI. (The city) failed to properly train and discipline local attorney, Blain Fogg and Ricky Ghosh Gene Conway, and Prosecutors, Angie Morrell, Angie Broday, Lauren Stora, Brandon Young.

K. Jones

September 25<sup>th</sup> 2019

Kareem Jones seeks compensatory and punitive damages and his liberty

## Statement of Claim

Hareem Jones: First Claim: Issue

September 25<sup>th</sup> 2019

On July 2<sup>nd</sup> 2016 Hareem Jones was stopped by New York police department (NYPD) officer Gelphin Gomez and Sgt. Anthony Peters inside of the Parking lot of Gompers Houses in lower Manhattan. Where Hareem Jones was a guest, to pick up his girl friend from work, a Gompers Houses employee, despite being a guest and following the rules... Officer Gomez and Sgt Peters unreasonably and unlawfully stopped Hareem Jones <sup>detained him</sup> without probable cause and without justification based on his race in violation of and deprived him of his U.S. const. fourth Amend. The officers pulled up, behind Hareem Jones, in a New York City police vehicle three feet behind Mr. Jones with their turret lights abroad and ordered Hareem Jones to place the car in park and to roll all the windows down over the loud speaker in their vehicle. The officers called for back up over the radio, the officers were outside of the parking lot and followed Hareem Jones into the parking lot as he passed by their vehicle, at the time of the stop Hareem Jones had not violated any laws was not doing anything suspicious or illegal and had no contraband in plain view. As the two officers approach Hareem Jones and the vehicle officer Gomez leaned over the window, reached over and looked down in the inside of the driver side door, that was down and saw three bags of marijuana inside of the inside door panel. Officer Gomez opened the car door and told Hareem Jones to step out and officer Gomez escorted Hareem Jones to the back of the vehicle out the trunk and told him to place his hands on the trunk and searched him. Officer Gomez and Sgt. Peters focused on Jones because he is African American

and unlawfully as well as unconstitutionally violated Kareem Jones United States constitutional right under the fourth Amendment. However after taking Kareem Jones to trunk and placing his hands on the trunk officer Gomez picked up a bag of white substance off the floor, with Kareem Jones in his view at all times and states this bag is yours. Kareem Jones was arrested and taken to the NYPD police department where he was stripped search and the vehicle was searched recovering roach clips of marijuana and a scale. Jones was taken to arraignment. Deprived of his constitutional right false arrest

### Second claim: Issue

On July 3<sup>rd</sup> 2016 Attorney Ricky Ghosh of the legal Aid society presented written notice to the people ADA requesting that Kareem Jones testify before the grand Jury 180.80 on July 8<sup>th</sup> 2016. Kareem Jones had spoke to Ricky Ghosh and was told that he will testify. On July 8<sup>th</sup> 2016 at a counsel visit, Ricky Ghosh told Kareem Jones "that he hopes the day goes by fast he has a huge case load and that he is going on vacation for two weeks, located in the Court building Ricky Ghosh was extremely frustrated from the amount of cases that he had while speaking with Kareem Jones. Kareem Jones was not aware of a break down with communication or that he would be deprived of his Right to testify. Ricky Ghosh deprived Kareem Jones of his U.S. constitutional right under the sixth Amendment VI, the right to effective assistance of Counsel, for his conduct after the grand Jury's vote between July 8<sup>th</sup> and July 16<sup>th</sup> 2016 the date when the indictment was filed. Deprived Kareem Jones of a meaningful post vote representation. Which conduct was the resulting harm that Jones know of February 27<sup>th</sup> 2017. Had Kareem Jones testified, had the grand Jury heard Kareem Jones they may have voted to not indict. At trial the Jury reached a not guilty verdict on four counts



Third

would be against Kareem Jones interests. On February 27<sup>th</sup> 2017 Kareem Jones knows of that harm the ~~an~~ impermissible conduct and it harm by being being acquainted of four count out of six and knowing that had he been present at that critical stage ~~eventually~~ meaningfully. Had the grand jury heard Kareem Jones testimony they may have voted to not indict him. On February 8<sup>th</sup> at the hearing Kareem Jones had reason to know that he would not be able to testify because trial is going to be started after this hearing. The city of New York the city failed to properly train and discipline its policy of giving effective assistance of counsel with respect to executing <sup>its policy</sup> ~~provision~~ of meaningful representation. U.S. const Amend VI guaranteed ~~the~~ <sup>providing</sup> ~~or other~~ <sup>providing</sup> citizen. The city and V Fogg failed to properly train and discipline local counsel of the legal aid society ~~and not~~ On February 8<sup>th</sup> ~~2017~~ 2017 Justice Souter relying on the testimony of officer Gomez <sup>officer Gomez sustained the stop</sup> ~~that~~ Jones was unaware that the officers would justify the the stop based on a claim of double parking. Jones had suffered an injury as a result of the officers bogus claim of double parking <sup>Justice</sup> Souter's ruling at the hearing was obvious source of harm to Jones as this evidence all but established his guilt <sup>or about</sup> on the criminal possession offenses. On ~~February 8<sup>th</sup>~~ <sup>February 8<sup>th</sup></sup> officer Gomez fabricated ~~the~~ the claim of double parking on which they based the stop. Jones bases this claim as well as <sup>Sgt Anthony Peters</sup> Failure to intervene on a constitutional violation had been committed by a law enforcement official in violation of <sup>Kareem</sup> Jones fourth Amendment constitutional rights. Here Kareem Jones was maliciously Prosecuted there was no probable cause for commencing the proceeding. The defendant commenced and continued a criminal proceeding against Kareem Jones in violation of his <sup>U.S. const</sup> fourth Amendment rights the officer only gained ~~nothing~~ <sup>nothing</sup> ~~canv~~ <sup>canv</sup> ~~also~~ <sup>also</sup> violation of Jones constitutional claim under the fourth Amendment.

fourth

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14  
17

did not facilitate Jones presentation to the grand Jury between July 8 and July 16 the date when the indictment was filed Rikki Ghosh deprived Jones of a meaningful post-vote representation. Which <sup>caused Rikki Ghosh impermissible</sup> conduct caused ~~Thareem~~ <sup>Thareem</sup> Jones the resulting harm which Jones knew of on February 27<sup>th</sup> 2017, Jones was acquitted of four counts in a six count indictment in a partial verdict on or about February 22<sup>nd</sup> or 23<sup>rd</sup>, <sup>on February 27, 2017</sup> ~~when he was convicted~~ <sup>in the third degree</sup> Jones was convicted of a felony ~~and found guilty~~ of criminal possession of, aggregate weight, of one half ounce or more of a controlled substance. <sup>at that point</sup> Jones was convicted to six years incarceration. ~~Thareem~~ <sup>Thareem</sup> Jones had reason to know of the impermissible conduct as the resulting harm of the accusatory instrument, ~~with~~ his right to effective assistance of ~~counsel~~ Rikki Ghosh lack of diligence from July 8 until July 16 when the indictment was filed of the accusatory instrument to exercise Jones right to appear as a witness depriving him of his right to effective assistance of <sup>Counsel depriving Jones of</sup> ~~Rikki Ghosh~~ <sup>Rikki Ghosh</sup> his guarantee right to <sup>effective assistance of</sup> counsel. On July 8<sup>th</sup> 2016 to July 16<sup>th</sup> 2016 Rikki Ghosh had not produce Thareem Jones before the grand Jury. Instead Counsel was also ineffective for his conduct after the grand Jurys vote. For Jones still <sup>to</sup> be allowed to testify when the case was called at about 12:15pm less than 30 minutes after the vote July 8<sup>th</sup> 2016 second Counsel did not oppose the court's three week adjournment at July 2<sup>th</sup> appearance and instead encouraged it by saying he would be out of the office despite the risks that an indictment would be filed or a new grand jury might be empaneled during that time. Counsel Rikki Ghosh did not provide "Meaningful Representation" Because he knew the grand Jurys date and time and received notice, ~~dispite~~ <sup>dispite</sup> Counsel ~~Thareem~~ <sup>Thareem</sup> Jones despite Counsel never advised Thareem Jones not to testify, or that testifying



Fith

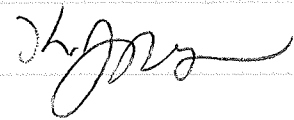
and in violation of his N.Y. State constitutional right 1 article 12 unreasonable search and seizures. Mr Jones was evidently denied Equal Protection based on intent to inhibit the exercise of constitutional rights malicious and bad faith intent to injure Karen Jones. On or about February 16<sup>th</sup> Gene Conway deprived Karen Jones of his US const Amend six that a citizen is entitled to there constitutional right to effective assistance of counsel<sup>or</sup>... On February 16<sup>th</sup> 2017 counsel did not provide additional pertinent facts that was not discovered before the determination of the suppression hearing and or motion. Fact that would have materially affect or have affected the outcome. Karen Jones had reason to know that the officer contradictory statements at the hearing had harmed him and that counsels decision to not file a motion that benefits the injury of Karen Jones that was not supported by a reasonable legitimate strategy and injured Karen Jones Absent a reasonable strategy even a single failing at suppression ~~may~~ as it deprives ~~the~~ Karen Jones of a constitutional right. In addition officer Gomez testified inconsistently as to the officers approach. Gene Conway deprived Karen Jones of a constitutional right given these pertinent facts because it informs the court whether the police conduct at issue amounts to a seizure in violation of Mr. Jones fourth Amend right.

<sup>Sixth Issue</sup>  
(ADA) Bridget Brennan Maliciously prosecuted Kareem Jones with the officers to fabricate evidence against Kareem Jones

(ADA) Angie Morelli Maliciously prosecuted Kareem Jones and conspired with the officers to fabricate evidence against him in violation of the Fourth Amendment and in violation of the Fourteenth Amendment

(ADA) Stoia maliciously prosecuted Kareem Jones with, other (ADA) actors, with standards for the prosecution primary duty respect the constitution and legal rights all persons. On July 8<sup>th</sup> 2016 (ADA) Stoia was told by the (ADA) assigned intended to present the case. (ADA) Stoia was the ADA that had spoke with Ricky Ghosh and was aware that the offer was rejected by Ricky Ghosh and that Kareem Jones will be testifying. When the assigned (ADA) could not find a sure way to contact Ricky Ghosh (ADA) Stoia should have been trained to request that the assigned (ADA) Request good cause extension which was the absolute cause and to respect the constitution. Kareem Jones was deprived of his fourteenth U.S. Const. Amend.

Kareem Jones had reason to know of the impermissible conduct as the resulting harm, Ricky Chubb lack of diligence to exercise Kareem Jones right to appear as a witness depriving him of his U.S. const. Amend VI Blaine V. Fogg failed to properly train and discipline local Attorney under his administration. In accordance the stop, frisk, arrest search incident to arrest and imprisonment, fabricated evidence, malicious prosecution deprived Kareem Jones of his U.S. const rights under the fourth Amend sixth Amend 14<sup>th</sup> Amend. Failure to intervene and failure to protect.



September 25<sup>th</sup> 2019

## UNITED STATES DISTRICT COURT

for the

Southern District of New York\_\_\_\_\_  
Division

Case No. \_\_\_\_\_

(to be filled in by the Clerk's Office)

Kareem Omar Jones

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Cyrus R. Vance Jr. -v- The City of New York  
Gelphin Gomez, Anthony Peters, Bridget  
Brennan, Lauren Stolia, Angie Morelli, Brandon  
Young, Angie Godoy, Rikki Ghosh, Blaine V. Fogg,

Defendant(s) See Attached

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

## COMPLAINT AND REQUEST FOR INJUNCTION

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Kareem Jones

Street Address

P.O. Box 2000

City and County

Pine City New York

State and Zip Code

New York 14871-2000

Telephone Number

E-mail Address

## B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

## Defendant No. 3

Name

Cyrus R. Vance Jr

Job or Title (if known)

District Attorney

Address

One Hogan Place

New York  
CityN.Y.  
State10013  
Zip Code

County

New York New York

Telephone Number

E-Mail Address (if known)



Individual capacity



Official capacity

## Defendant No. 4

Name

Bridget Brennan

Job or Title (if known)

Assistant District Attorney

Address

80 Centre Street

New York  
CityN.Y.  
State10013  
Zip Code

County

New York New York

Telephone Number

E-Mail Address (if known)



Individual capacity



Official capacity

## II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

Federal officials (a *Bivens* claim)

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

U.S. Constitution Fourth Amendment, Sixth Amendment, Fourteenth Amendment

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

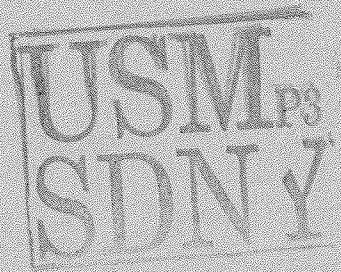
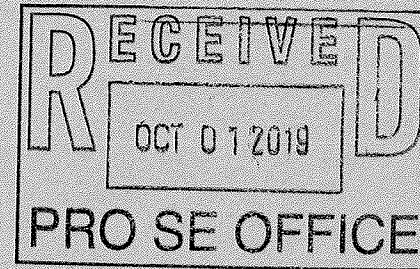


Southport Correctional Facility

P.O. Box 2000

Pine City, New York 14871-2000

Kareem Jones 17R0791



(Legal Mail)

U.S. District Court  
Southern District of New York  
U.S. Court House  
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New York, New York 10007-1312

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